

EXHIBIT 40

From: "Louis M. Phillips" <Louis.Phillips@kellyhart.com>

To: "Gregory V. Demo" <GDemo@pszjlaw.com>, "John A. Morris" <jmorris@pszjlaw.com>, "Jeff Pomerantz" <jpomerantz@pszjlaw.com>

Cc: "Amelia L. Hurt" <Amelia.Hurt@kellyhart.com>, "Jim Shields" <jshields@shieldslegal.com>

Subject: RE: Highland - 9019 Motion (HMIT)

Date: Mon, 19 May 2025 21:47:28 +0000

Importance: Normal

Inline-Images: image007.jpg; image008.png; image009.png; image010.png; image001.png

Thank you Greg.

Louis M. Phillips
Partner



KELLY HART & PITRE
301 MAIN STREET SUITE 1600
BATON ROUGE, LOUISIANA 70801
TELEPHONE: 225-381-9643
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From: Gregory V. Demo <GDemo@pszjlaw.com>

Sent: Monday, May 19, 2025 4:44 PM

To: Louis M. Phillips <Louis.Phillips@kellyhart.com>; John A. Morris <jmorris@pszjlaw.com>; Jeff Pomerantz <jpomerantz@pszjlaw.com>

Cc: Amelia L. Hurt <Amelia.Hurt@kellyhart.com>; Jim Shields <jshields@shieldslegal.com>

Subject: RE: Highland - 9019 Motion (HMIT)

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Louis,

Attached is a fully executed copy of the settlement agreement. All signatures are released.

We are filing now.

Best,
Greg

Gregory V. Demo
Pachulski Stang Ziehl & Jones LLP
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From: Louis M. Phillips <Louis.Phillips@kellyhart.com>
Sent: Monday, May 19, 2025 1:24 PM
To: Gregory V. Demo <GDemo@pszjlaw.com>; John A. Morris <jmorris@pszjlaw.com>; Jeff Pomerantz <jpomerantz@pszjlaw.com>
Cc: Amelia L. Hurt <Amelia.Hurt@kellyhart.com>; Jim Shields <jshields@shieldslegal.com>
Subject: RE: Highland - 9019 Motion (HMIT)

Thank you Greg.

Louis M. Phillips
Partner



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From: Gregory V. Demo <GDemo@pszjlaw.com>

Sent: Monday, May 19, 2025 12:18 PM

To: Louis M. Phillips <Louis.Phillips@kellyhart.com>; John A. Morris <jmorris@pszjlaw.com>; Jeff Pomerantz <jpomerantz@pszjlaw.com>

Cc: Amelia L. Hurt <Amelia.Hurt@kellyhart.com>; Jim Shields <jshields@shieldslegal.com>

Subject: RE: Highland - 9019 Motion (HMIT)

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Louis,

Attached are the Highland Entities' signatures, which are to be held in escrow. Once we get final sign off on the Highland side, all signatures will be released and we'll file everything per your email below. I'll also send a fully compiled settlement agreement for your records.

Best,
Greg

Gregory V. Demo

Pachulski Stang Ziehl & Jones LLP

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From: Louis M. Phillips <Louis.Phillips@kellyhart.com>

Sent: Monday, May 19, 2025 12:45 PM

To: Gregory V. Demo <GDemo@pszjlaw.com>; John A. Morris <jmorris@pszjlaw.com>; Jeff Pomerantz <jpomerantz@pszjlaw.com>

Cc: Amelia L. Hurt <Amelia.Hurt@kellyhart.com>; Jim Shields <jshields@shieldslegal.com>

Subject: RE: Highland - 9019 Motion (HMIT)

Movants' counsel is authorized to file the agreed version of the 9019 Motion and to affix my electronic signature to it. Mark Patrick's signatures are released upon full execution by the signing parties after obtaining the represented required consents. Please send me the Highland parties' signatures once received.

Louis M. Phillips
Partner



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From: Gregory V. Demo <GDemo@pszjlaw.com>
Sent: Monday, May 19, 2025 11:30 AM
To: Louis M. Phillips <Louis.Phillips@kellyhart.com>; John A. Morris <jmorris@pszjlaw.com>; Jeff Pomerantz <jpomerantz@pszjlaw.com>
Cc: Amelia L. Hurt <Amelia.Hurt@kellyhart.com>; Jim Shields <jshields@shieldslegal.com>
Subject: RE: Highland - 9019 Motion (HMIT)

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Thank you. Can you please confirm that we can file and that Mr. Patrick's signatures are released upon final approval on the Highland side?

Gregory V. Demo
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From: Louis M. Phillips <Louis.Phillips@kellyhart.com>

Sent: Monday, May 19, 2025 12:29 PM

To: Gregory V. Demo <GDemo@pszjlaw.com>; John A. Morris <jmorris@pszjlaw.com>; Jeff Pomerantz <jpomerantz@pszjlaw.com>

Cc: Amelia L. Hurt <Amelia.Hurt@kellyhart.com>; Jim Shields <jshields@shieldslegal.com>

Subject: FW: Highland - 9019 Motion (HMIT)

Greg,

These changes are approved.

Louis M. Phillips

Partner



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From: Gregory V. Demo <GDemo@pszjlaw.com>

Sent: Monday, May 19, 2025 9:27 AM

To: Louis M. Phillips <Louis.Phillips@kellyhart.com>; Amelia L. Hurt <Amelia.Hurt@kellyhart.com>; Jim Shields

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Louis,

Attached is a revised draft of the 9019 motion with a redline against what you sent this morning. We accepted all your changes—with a few stylistic modifications—and include a few additional changes.

With John traveling, please keep me copied on future emails.

Best,
Greg

Gregory V. Demo
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